

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

November 6, 2014

5:30 P.M.

MINUTES

Present: Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent: **Mayor James Calnon**

Councilor O'Connell asked for a moment of silence for former Mayor Carlton Rennell who passed away this week.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on October 23, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kasper; Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending October 29, 2014 in the amount of **\$ 269,594.35** and November 5, 2014 in the amount of **\$ 272,434.80** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Dowdle; Seconded by Councilor Kretser

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of October 23 – November 5, 2014
- Report from the Building Inspector's office November 4, 2014
- Report from City Engineer – TRAFFIC ZONE DESIGNATION NO. 952
- Report from City Engineer – TRAFFIC ZONE DESIGNATION NO. 953

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

Motion to remove the two Traffic Zone Designations reports.

By Councilor Dowdle; Seconded by Councilor Kasper

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the weeks ending October 31, 2014 in the amount of \$ 1,166,740.15 and November 7, 2014 in the amount of \$ 357,659.90 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kretser; Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to transfer \$55,800 from the Recreation Department in the General Fund to the Rec Complex Fund for unbudgeted expense for the 2014 budget year.

By Councilor Kretser; Seconded by Councilor Dowdle

Discussion:

Councilor Kasper asked Superintendent Steve Peters some questions.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. WHEREAS there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter the "Plan"); and

WHEREAS the City of Plattsburgh (hereinafter the "City") is eligible for membership in the Plan; and

WHEREAS the City has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interest of the City to participate therein; now, therefore, be it

RESOLVED that the City enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED that Mayor James Calnon be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the City; and be it further

RESOLVED that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

By Councilor Kretser; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED, that the City of Plattsburgh (hereinafter the "City") hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against the City; and be it further

RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further

RESOLVED, that this election shall become effective on July 1st, 2014.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion:

Councilor Kasper asked City Chamberlain Richard Marks some questions.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. THE MAYOR HANDS DOWN THE APPOINTMENT OF POLICE OFFICER TO CHRISTOPHER BOESHORE EFFECTIVE NOVEMBER 7, 2014 PENDING THE SUCCESSFUL COMPLETION OF A 78 WEEK PROBATIONARY PERIOD.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves extending contractual benefits (due to job related injuries) for Officer Richard Tucker for an additional 12 weeks. His first 12 week period will expire on 11/06/14.

By Councilor Kelly; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves Kevin Farrington City Engineer to establish Traffic Zone Designation # 952 "Alternate side parking starting November 1 of each year and ending April 1 of the following year."

Motion to waive the reading:

By Councilor Kretser; Seconded by Councilor Kasper

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(Councilors Armstrong, Kelly, Dowdle, Kasper and Kretser voted in the affirmative. Councilor O'Connell voted in the negative)

Whereas, the safety and security of the residents of the City of Plattsburgh is of the utmost importance to the city council;

Whereas, the accessibility of emergency vehicles is an essential part of the response time to assist with the needs of the residents of the city;

Whereas, the traffic flow throughout the city is an important part of day to day operations

Whereas snow removal and street cleaning is necessary to enhance the safety and appearance of the city;

Therefore, alternate side of the street parking shall mean that all vehicles shall be allowed to stand or park on the even numbered side of the street between the hours of 8 AM on the day bearing an even calendar date to 8 AM the following day; and on the odd numbered side of the street between 8 AM on the day bearing an odd numbered calendar to 8 AM the following day. This resolution will be enforced starting November 1 of each year and end on April 1 of the following year.

The streets affected by this resolution are as follows:

ASH STREET, CHAMPLAIN STREET, DURAND STREET, GRACE AVENUE, GRANT

STREET, JOHNSON AVENUE, LAFAYETTE STREET, MAPLE STREET, MCMARTIN STREET, MORRISON AVENUE, STANDISH STREET.

Violations of the alternate side of the street policies are subject to being towed, upon direction of the authority in charge or by the city police department.

****The city wide snow emergency policy will take precedence over the above policy.

By Councilor O'Connell; Seconded by Councilor Kelly

Discussion:

Councilors Kasper, Kelly, Dowdle, Kretser expressed concerns and felt there were a lot of unanswered questions and need more data. Possibly reintroduce resolution after more study.

Councilor O'Connell spoke in support and his main concerns were accessibility for emergency vehicles.

[Further discussion by all members of the Council, City Engineer Kevin Farrington, Fire Chief Stone and Police Chief Racicot on this topic]

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(Councilors Armstrong and O'Connell voted in the affirmative. Councilors Kelly, Dowdle, Kasper and Kretser voted in the negative)

ACTION TAKEN: Defeated

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to transfer the 2014 SUNY Aerial Fire Equipment contribution of \$21,500.00, received as estimated revenue by the General Fund, to the Aerial Fire Equipment Reserve and to also transfer a matching amount of \$21,500.00 as appropriated in the 2014 General Fund Budget, for a total 2014 reserve transfer of \$43,000.00 to the Aerial Fire Equipment Reserve.

By Councilor Kasper; Seconded by Councilor Dowdle

Discussion:

Councilor Kasper asked City Chamberlain Richard Marks questions.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves a leave of absence for Sherry Lavigne Typist in the Finance Office, from November 3, 2014 through January 2,

2015, the 10 week period that runs beyond the 12 weeks absence allowed under the FMLA. Sherry will return to work on January 5, 2014.

By Councilor Kasper; Seconded by Councilor Kelly
Discussion:

Councilor O’Connell asked City Chamberlain Richard Marks questions.

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves City Engineer to advertise for bids for Contract # 2013-22 “Purchase and Installation of Docks – 2 Dock Street, City Marina.”

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign an agreement with C.T. Male Associates for post remediation monitoring at Durkee Street ERP Site # E510020 for a total price not to exceed \$14,110 budgeted under the Parking Lot Fund as a contract service for the maintenance of assessment district 1&2 parking lots.

By Councilor O’Connell; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

K. RESOLVED: In accordance with the request therefore the Common Council approves that Contract # 2014-31 “Soil Borings for Underground Projects” be awarded to Anortho Environmental Consulting Service for the quoted lump sum price of \$12,800. Funding will be from the 2014 Street Resurfacing Capital Project H5110.44.

By Councilor Kelly; Seconded by Councilor Dowdle

Discussion:

Councilor Kasper asked City Engineer Kevin Farrington questions.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

L. RESOLVED: In accordance with the request therefore the Common Council approves that Contract # 2014-32 "Survey for City Streets & Properties" be awarded to Robert Sutherland PC for Sanborn Avenue – quoted price of \$4,480; South Peru Street – quoted price of \$7,880 and to Machabee Land Survey for Hamilton Street – quoted price of \$3,150. Funding will be from the 2014 Street Resurfacing Capital Project H5110.44.

By Councilor Kasper; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

M. RESOLVED: In accordance with the request therefore the Common Council approves that Contract # 2014-33 "Pedestrian Bridge Sewer Main Lining and Rehabilitation" be awarded to Arold Construction in the amount of \$67,120. Funding will be from Capital Project H8120.25.

By Councilor Kretser; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

N. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to transfer \$21,000 to the General Fund Capital Transfers budget line from the NY State Retirement budget line in order to pay for removal of three underground fuel tanks estimated to cost approximately \$35,000. This transfer will supplement the current balance of \$14,000 in the capital transfers budget line and will leave the General Fund budget for total appropriations unchanged.

By Councilor Kretser; Seconded by Councilor Dowdle

Discussion:

Councilor O'Connell asked City Chamberlain Richard Marks questions.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(Councilors Armstrong, Kelly, Dowdle, Kasper and Kretser voted in the affirmative. Councilor O'Connell voted in the negative.)

ACTION TAKEN: Defeated

Follow up Action: None

O. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to create capital project H5110.47 “2014 - 40 Bridge Street Remediation” to provide for the project to accumulate the necessary costs to remove three underground fuel tanks from this City property.

By Councilor Kretser; Seconded by Councilor Kelly

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

P. RESOLVED: In accordance with the request therefore the Common Council approves Tim Carter of Fleet Feet to hold a Christmas Light 5k on US Oval on December 12 at 6pm as part of the Frozen 5k race series. Proceeds will benefit the food shelf.

By Councilor Kretser; Seconded by Councilor Dowdle

Discussion:

Councilor O’Connell asked if we could try to get this type of information to the college community so they can become involved.

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

Q. RESOLVED: In accordance with the request therefore the Common Council approves Tim Carter of Fleet Feet to hold the Snowman Scramble 5k at Blumette Park on January 10 at 9am as part of the Frozen 5k race series. Proceeds will benefit the SPCA.

By Councilor Kretser; Seconded by Councilor Kelly

Discussion:

Councilor O’Connell asked again if this information could be distributed to the college community.

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

R. RESOLVED: In accordance with the request therefore the Common Council approves Change Order No. 2 to PMLD 2014-3-1 “115Kv Breaker Replacement St Lawrence 1” at a cost of \$15,640.

By Councilor Dowdle; Seconded by Councilor Kelly
Discussion:

Councilor O'Connell asked MLD Manager Bill Treacy questions.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

S. RESOLVED: In accordance with the request therefore the Common Council approves Kevin Farrington City Engineer to establish Traffic Zone Designation # 953.

In accordance with Chapter 253 of the Code of the City of Plattsburgh and Section 1640 of the New York State Vehicle and Traffic Law the following traffic control zone is hereby established and/or amended.

EXCLUDE TRUCKS, COMMERCIAL VEHICLES, TRACTORS, TRACTOR-TRAILER COMBINATIONS, TRACTOR-SEMITRAILER COMBINATIONS, AND TRACTOR-TRAILER-SEMITRAILER COMBINATIONS FROM HEALEY AVE, KENNEDY AVE, SANDRA AVE, COLLEGE AVE AND COGAN AVE.

Such exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property along the streets listed above.

The establishment of this zone shall become effective upon the erection of the proper signs designating the zone.

All traffic zone designations previously established that are inconsistent with this traffic zone designation are hereby repealed and superseded by this traffic zone designation. All traffic zones established for other purposes that are consistent with this traffic zone designation shall remain in effect.

Motion to move the resolution waiving the reading

By Councilor O'Connell; Seconded by Councilor Kretser
Discussion:

Councilor Dowdle thanked City Engineer Kevin Farrington for bringing this forward.

[Further discussion]

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves a Police Officer to attend the “New York State STOP Domestic Violence Fatality Review Committee Meeting” in Schenectady, NY from 11/13/14 to 11/14/14 the total cost will not exceed \$118 and will be reimbursed by NYS Stop DV.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves a Police Officer to attend the “2014 Use of Force Summit” in Uncastle, CT from 12/02/14 to 12/04/14 the total cost will not exceed \$1,173.65 and will be expensed from the Asset Forfeiture fund..

By Councilor Dowdle; Seconded by Councilor O’Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS:

Councilor Kelly acknowledged the young people and he was glad they came. Remember you are the voters of the future.

Councilor Armstrong invited everyone to attend the Budget sessions after the meeting.

Councilor Dowdle shared that a constituent contacted him that had an unfortunate situation and they were highly impressed with police and fire in a recent situation.

Councilor Kretser shared that a concerned mother called about a building code issue downtown and after speaking to Joe his office handled it expediently and with a lot of care. She was very pleased with the speed and efficiency with which it took place.

Councilor O’Connell thanked Kevin for all the work he put in for his proposal today and he hopes he will be open for more as other stuff goes on. And I am sure he will because he is after the betterment of the city.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor O'Connell; Seconded by Councilor Kretser
Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

MEETING ADJOURNED: 6:25 pm